

SB219a-pt03

36

Yes! I want to save scenic Wisconsin!

Here's my contribution to Citizens for a Scenic Wisconsin in the amount of:

- () \$10 Basic () \$25 Scenic Friend () \$50 Scenic Leader
 () \$100 Scenic Supporter () \$250 Scenic conservationist () \$500 Scenic Investor
 () \$1,000 Scenic Visionary () Other \$ _____

All members will receive an informative newsletter three times a year.

Name: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____
 E-mail address: _____

Person(s) I think would also be interested in CSW:
 Name: _____ City: _____
 Name: _____ City: _____
 City: _____

I would like to serve: () on a committee () as a city or county organizer
 () other: _____

www.scenicwisconsin.org | E-mail: mail@scenicwisconsin.org | 414.258.8604 | Fax: 414.258.9672

7525 Oakhill Ave., Wauwatosa, WI 53213

Enclosed is my check for \$ _____
 payable to: **Citizens for a Scenic Wisconsin**

I would prefer to charge my:

☐ VISA ☐ MasterCard

Account No: _____

Exp. Date: _____

Total Charge: \$ _____

Signature: _____

CSW is a not-for-profit organization.
 Contributions are tax-deductible as provided by law.

Citizens for a Scenic Wisconsin

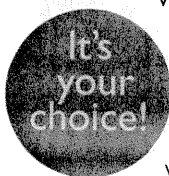
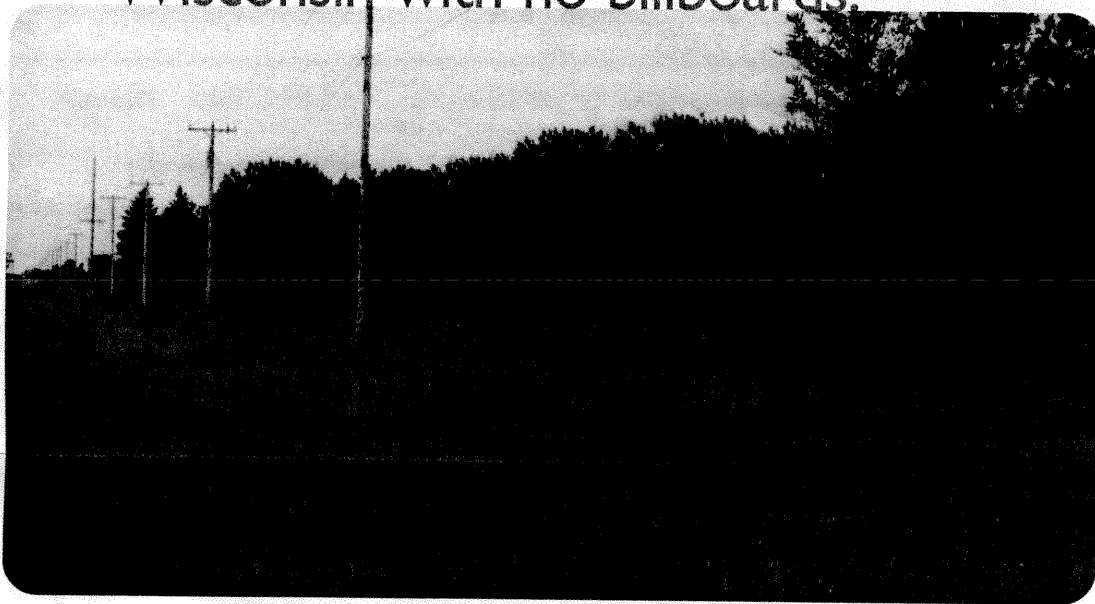




Citizens for a Scenic Wisconsin



Wisconsin with no billboards.



We can rescue Wisconsin roads and cities

from the growing visual blight of billboards.

We can preserve Wisconsin's irreplaceable scenic

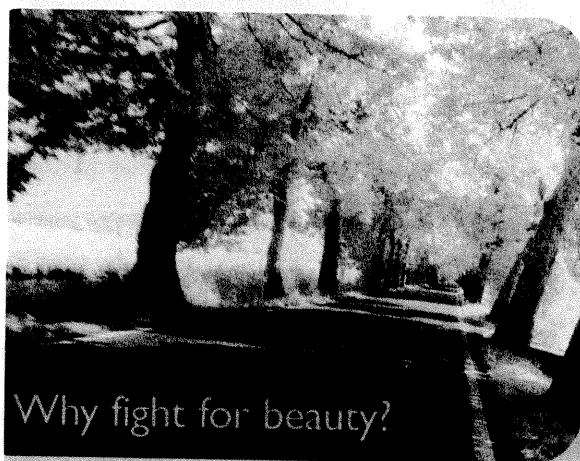
beauty. It's time to enact tough billboard controls,

and there's a grass-roots citizens group to help.

We're **Citizens for a Scenic Wisconsin**, and

we need you and your neighbors to send an

e-mail, pick up the phone, get involved.



Why fight for beauty?

We can all agree on this: **Wisconsin is beautiful** and Scenic beauty is fundamentally important to our everyday life, to our economic prosperity, to tourism.

But what's that up ahead? You've noticed them; the more than 17,000 billboards that are polluting our scenic highways, rural areas, towns and cities. Unfortunately for all of us, lax state and local laws — coupled with the billboard industry's unrelenting quest for more advertising revenue — mean that billboards can go up almost anywhere. They're cheap to build, extraordinarily profitable, and are often the leading edge of ugly, sprawling development. And most troubling, once they're up, it's tough to get them down.

We're
pro-beauty.

And many many more are on the way. In fact, if we don't do something about this, the number of billboards in Wisconsin will double in your lifetime.

Did you just say, "You can't stop progress!" with more than a hint of resignation? Of course we can't, but **progress doesn't have to be ugly**. Are Wisconsin highways and cities littered with billboards advertising automobiles, liquor, insurance, casinos, cell phones — products and services just as well advertised in other media such as newspapers and TV — what we all want? Is that progress?

Wisconsin is at a crossroads ...

Billboard operators sell something that they don't own: our field of vision. But it's our choice. We can throw up our hands and give in, or we can fight to preserve scenic Wisconsin. We can learn from the four states that are billboard-free: Alaska, Hawaii, Maine, and Vermont. And from the more than 1,000 communities across the United States, including leading tourist destinations, that are billboard-free, prohibit new billboards or have tough restrictions. Scenic towns like Hilton Head, South Carolina; and Sun Valley, Idaho; and even big cities like Jacksonville, Florida; and San Diego, California have all found that ugliness is bad for business.

We have a right to preserve our beautiful state and our way of life. When we allow others to degrade our surroundings, we also degrade our sense of who we are, where we came from and the values we hold in common. The appearance of a place has a profound influence on behavior toward that place: ugliness breeds contempt; beauty promotes respect. Enjoy that scenic view because it — and our way of life — could be gone tomorrow. And once it's gone, it's lost forever.

no new billboards!

the scenic index

>500,000

Estimated number of billboards on major highways in the U.S.

17,600

Estimated number of billboards in Wisconsin

Who are we?

Citizens for a Scenic Wisconsin is a non-profit organization dedicated to preserving and enhancing the scenic character of Wisconsin's communities and countryside. CSW advocates for state and local policies that support scenic conservation and improve community livability.

We're
pro-Wisconsin

CSW promotes conservation of natural scenery, scenic approaches to cities and towns, natural vegetation along roads, responsible and planned land use, strong signage control and other measures to preserve natural beauty and distinctive community character.

CSW believes that a visually pleasant environment adds greatly to our quality of life and is also good for business, especially tourism.

A success story from Vermont: scenic beauty is good for business.

How did a tourist state like Vermont eliminate billboards? A 1967 study determined that outdoor advertising was detrimental to economic development and tourism. The legislature banned new billboards, with existing billboards to be retired over a five year period. The result? **Tourism spending shot up 50% in the two years after Vermont became billboard-free.** Recently, in 1997 an independent study and public opinion polls supported a continuation of the ban.

We're
pro-tourism.

Wisconsin isn't Vermont, yet, but we could be. It's our choice.

An alternative to billboards.



Who needs billboards? Alternatives exist. The most common are the "logo" signs that already exist on interstates in 44 states, including Wisconsin. These provide essential traveler information in a less obtrusive form than billboards, and at a much lower cost to businesses.

How you can save scenic Wisconsin.

Citizens for a Scenic Wisconsin is dedicated to scenic conservation in our state. We are actively engaged in supporting legislation to control billboards on both the state and local levels. This means fighting the status quo — and the powerful billboard lobby. It is not a simple undertaking. We need you and thousands of other concerned citizens across our state to stand up and be heard.

Do a little or do a lot, but please help us. Here's how:

Get involved. It's easy. Visit our Website and click on "Get Involved." Here you'll find updates on current bills pending in our legislature, and simple step-by-step instructions on how to write, phone or E-mail your state senator and your state assembly person in Madison. **Let 'em know that "you're pro-beauty!"**

Network. Spread the word! Call five or ten neighbors and friends and tell them about CSW. Our website will even help you launch your own E-mail campaign to save scenic Wisconsin!

Volunteer. Grassroots efforts take a lot of people power but make a world of difference. Whether you have an hour or a day, there's plenty that you can do to help preserve scenic Wisconsin. Call us at **414.258.8604**.

Contribute. Yes, we're largely volunteer-based, but we're up against a powerful and very well financed industry and lobby group. Our effort depends on your contributions.

www.scenicwisconsin.org

E-mail: mail@scenicwisconsin.org

414.258.8604



Citizens for a Scenic Wisconsin

SAMPLE LETTER

To your Senator and Assemblyman in the State Legislature in Madison

This sample is intentionally brief. It is intended to get you started on your own letter. You can use the basic ideas and add your personal opinions or specific accounts of billboards in your area to create an effective original letter.

You can also use the letter as. Just fill in your address, the name of the legislator and sign it. But for greatest impact on your legislator in Madison, write or print the letter on your own stationery.

_____, 2000

Senator _____
PO Box 7882
Madison WI 53707

Subject: **Billboards in Wisconsin**

Dear Senator _____,

I have noticed more and more billboards along the roads and in the landscape.

These signs are ruining the scenery and the charm of Wisconsin, and I believe that the great outdoors should remain free of visual pollution.

I have no use for advertisements on large signs and object to annoying commercial messages that I cannot avoid seeing.

I urge you to support or co-sponsor Senator Baumgart's Billboard Bill which will prevent the construction of any more billboards, provide for gradual removal of the most disturbing billboards and allow expanded use of small tasteful tourist-oriented directional signs.

Please do the right thing and take steps to preserve our natural scenery and improve the appearance of our communities.

Sincerely,

_____, 2000

Representative _____
PO Box 8952
Madison WI 53708

Dear Representative _____,

I have noticed more and more billboards along the roads and in the landscape.

These signs are ruining the scenery and the charm of Wisconsin, and I believe that the great outdoors should remain free of visual pollution.

I have no use for advertisements on large signs and object to annoying commercial messages that I cannot avoid seeing.

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Please do the right thing and take steps to preserve our natural scenery and improve the appearance of our communities.

Sincerely,

Citizens for a Scenic Wisconsin, Inc.
7525 Oakhill Avenue Wauwatosa WI 53213

Date _____

Membership Application

Name _____

Address _____

_____ zip _____

Phone _____ Email _____

Mark the areas of scenic conservation that you are interested in:

- ☐ Billboard control
☐ Road-side tree-cutting regulation
☐ Wildflower programs
☐ Scenic by-way programs
☐ On-site sign regulation
☐ Graffiti control
☐ Code enforcement
☐ Other _____

Would you be willing to serve

- ☐ On the board of directors ☐ As an organizer of a city or county chapter
☐ On a committee ☐ Other _____

Indicate the level of contribution you are making:

- ☐ 10 Basic Membership
☐ 25 Scenic Friend
☐ 50 Scenic Leader
☐ 100 Scenic Supporter
☐ 250 Scenic Conservationist
☐ 500 Scenic Investor
☐ 1000 Scenic Visionary
☐ Other _____
☐ 50 Organizations

*CSW is a not-for-profit organization.
Contributions are tax-deductible.*

Make your check payable to:
Citizens for a Scenic Wisconsin
and mail it to the address above.

Identify persons that you think would be willing to participate in CSW.

Name

City or Town

All members will receive the informative newsletter *Viewpoints*, published by *Scenic America*, 3 times a year.

Billboard Regulation in Wisconsin: A Sign of the Times or a Time of the Signs

L. Ward Lyles

Background Data

What is a Billboard?: Billboards are off-premise advertising signs owned and operated by private companies (Figure 1).

Who Cares About Billboards?:

1. **Supporters of Increased Regulation:** Citizens for a Scenic Wisconsin, Scenic America, Kohler Company, Environmental Groups, etc.
2. **Opponents of Increased Regulation:** Outdoor Advertising Association of Wisconsin, Outdoor Advertising Association of America, Billboard Companies, Landowners, Advertisers, etc.
3. **Neutral Parties:** Wisconsin Department of Transportation

Legal History: Wisconsin law parallels federal law regulating billboards. The Bonus Act (1959) and the Highway Beautification Act (1965), the two primary pieces of federal legislation, use zoning and corridor creation to control billboards; both contain major loopholes.

Recent Policy Events: In 2001 the DOT enacted billboard fees of either \$35 or \$50 per billboard, depending on sign classification. Also in 2001, a budget amendment allowing billboard owners greater ability to cut trees in the public right-of-way was line-item vetoed by the governor. Within the last three years, two legislative bills, Senate Bills 18 (1999-2000) and Senate Bill 219 (2001-2002) would have ended all new billboard construction, raised billboard fees, and used the fees to remove billboards; Assembly Bill 533 (2001-2002) would have limited the DOT's ability to promulgate rules enacting billboard fees. All three bills failed.

Number of Billboards (1997 Scenic America Survey)

- | | |
|--------------------------|-----------------------------|
| 1. Florida (20,711) | 6. Missouri (13,561) |
| 2. Ohio (16,436) | 7. Illinois (13,192) |
| 3. Texas (15,409) | 8. Michigan (12,058) |
| 4. Wisconsin (14,990) | 9. Tennessee (11,077) |
| 5. Pennsylvania (14,127) | 10. North Carolina (10,253) |
| | 20. Minnesota (4,835) |
| | 24. Iowa (4,128) |

Public Opinion Survey Results

(Outdoor Advertising Association of Wisconsin and Scenic America)

79% of Wisconsin Residents polled find billboards 'very' or 'somewhat' useful in locating good and services (OAAW).

69% of Missourians believe that fewer billboards would make their state more attractive to tourists, while just 26% disagreed (SA).

Michigan residents favor a ban on new billboard construction by a 60%-32% margin; moreover, more than 90% of Michigan residents believe the state has too many billboards or the right amount of billboards (versus just 2% who want more) (SA).



Figure 1: Bulletin Billboard On U.S. Highway 12 Near Baraboo, WI

Public Policy Issues

1. **Economics:** The billboard industry contributes to the economy, the question is, how much?
 - a. Jobs – roughly 500
 - b. Income per billboard: \$300 to \$5,000 per month
 - c. Companies: 25-30 Major Companies – many are national or international subsidiaries.
2. **Aesthetics:** Billboards are ugly. The question is how much do they degrade the landscape?
 - a. State Numbers (Figure 2)
 - b. Public Opinion Polls (Figure 2)
3. **Tourism:** Billboards provide cheap advertising to tourism-oriented businesses. They also mar the scenic landscape that attracts tourists in the first place. Which issue impacts tourism more?
4. **Property Rights:** Billboards are privately owned property and private property rights must be respected. Yet, billboards only have value because of their use, and degradation, of a public resource, the scenery alongside roads.
5. **Regulatory Expenses:** Any policy implemented will have regulatory costs. How much will taxpayers pay?

Figure 2: The Number of Billboards and Public Opinion Survey Results

Policy Options

Quantity Options: affect the number of billboards in the landscape (See Figure 3).

1. Status Quo: law stays as currently stands.
2. Cap and Replace: Set a 'cap' for the total number of billboards and only allow replacement as long as the total remains under the cap.
3. Moratorium: Allow no new billboards to be constructed.
4. Moratorium with Grant Fund: Allow no new billboards to be constructed and set up a grant fund to purchase and remove existing billboards.
5. Moratorium with Amortization: Allow no new billboards to be constructed and allow existing billboards to remain standing for a set period of time after which all must be removed.

Quality Options: affect the appearance of billboards in the landscape and fall into two classes 1) location and 2) size.

Location:

1. Exit Proximity: Allow billboards only within a set distance of an exit.
2. Concentration by Scenic Designation: Allow billboards only on roads, or segments of roads, designate to have a rating below certain scenic value.
3. Road Type: Allow billboards on certain type of roads, e.g. on interstates but not state highways.

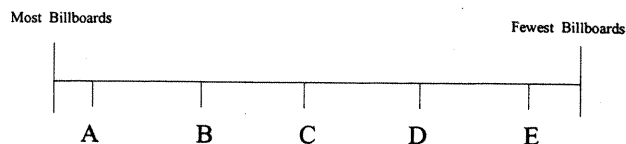
Size:

1. Height: Allow signs only to be below a certain height above ground level.
2. Area: Allow sizes only of a certain area.
3. Lighting: Allow no lighting, lighting only between certain hours, or lighting only below a certain intensity.

Complementary Options: do not affect quantity or quality but can stand alone or facilitate the implementation of quantity or quality options.

1. Increased Governmental Signs: could provide a more affordable advertising medium to businesses and an easy to recognize and locate standardized source of information for the traveling public (Figure 5).
2. Improved Tagging System: tags on the billboards would contain basic information making information more accessible to the public.
3. Increased Permit Fees: increased revenue could allow the DOT to fund programs to remove or relocate billboards.

Spectrum of Quantity Policy Options



Quantity Regulatory Options

- A: Status Quo
B: Cap and Replace
C: Moratorium
D: Moratorium with Grant Fund
E: Moratorium with Amortization

Figure 3: Spectrum of Quantity Policy Options

Public Policy Issues	ECONOMICS	AESETHETICS	TOURISM	PROPERTY RIGHTS	REGULATORY EXPENSES
Policy Options					
I. NUMERICAL					
A. SPECTRUM					
1. Status Quo					
2. Cap and Replace					
3. Moratorium					
4. Moratorium with Grant Fund					
5. Moratorium with Amortization					
II. APPEARANCE					
A. LOCATION					
1. Exit Proximity					
2. Concentration by Scenic Designation					
3. Road Type					
B. SIZE					
1. Height					
2. Area					
3. Lighting					
III. COMPLEMENTARY					
A. GOVERNMENTAL SIGNS					
1. Expanded Governmental Signs					
2. Improved Tagging System					
3. Increased Permit Fees					

Figure 4: Schematic of Public Policy Issues and Policy Options

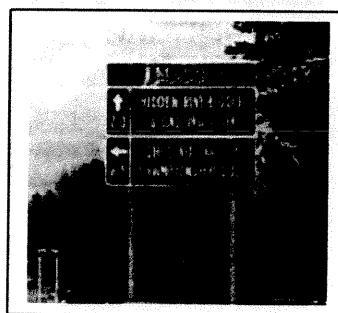
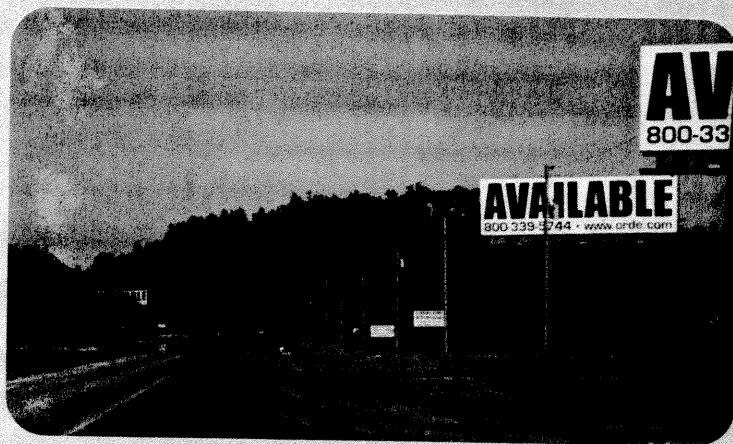


Figure 5: Governmental Tourist Oriented Directional Sign
(www.scenicmichigan.org)

Recommendations

1. Increased disclosure of information; without information, the public and legislators cannot make informed decision about how to regulate billboards. The onus of this task falls on the billboard industry because it controls most of the information.
2. Increased communication between the two opposing groups. Both groups need to clarify their short-term and long-term goals, their concerns about the status quo policy, their concerns about the other group's agenda, and their hopes for future legislation. Only increased communication will lead to effective policies.
3. Implement a policy containing quantity, quality and complementary elements. For example, institute a cap and replace, with a 10,000 billboard cap, with a concentration along non-scenic road segments, and an increased governmental sign program as well as increased permit fees to relocate billboards to non-scenic road segments.



Spring 2002 | Vol. 2, No. 1

It's
our
choice!

Citizens for a
Scenic Wisconsin



We're

pro-beauty.
pro-Wisconsin.
pro-tourism.

New billboards
obscure historic
Petenwell Rock view

NECEDAH, WI Two new billboards along Highway 21 obstruct the view of Petenwell Rock that east-bound drivers used to enjoy as they left the town of Necedah (see photos above). The billboards are an example of the damage that can be done to our scenic heritage by large signs.

CSW member Ron Harris of Wisconsin Rapids, who provided the information for this article, found that the signs are legally placed on commercial properties. The town of Necedah and surroundings have no signage ordinances, according to Ron.

Petenwell Rock, situated along the Wisconsin River, is listed in tour books and rock-climbing guides. The legend of Petenwell Rock holds that an Indian Princess fell in love with a common Indian man. The chief disapproved of the match and pursued the lovers to the top of the rock. Rather than be captured, the couple leapt from the rock into the river, never to be seen again.

Ron feels that the desecrated view of the rock is a loss to the community of Necedah and is a reason that sensible signage controls need to be enacted.

Imagine

Wisconsin with no billboards.

Billboard Bill debated

SB 219 WOULD CALL A HALT TO NEW BILLBOARD CONSTRUCTION

A bill that would prevent the construction of any new billboards was discussed in the Senate Committee on Environmental Resources last Winter.

THE GROUND-BREAKING BILL, SB 219 authored by committee chairman Sen. James Baumgart of Sheboygan, received a well-attended public hearing in August and brought public attention to the issue of scenery and billboards. The committee vote in December was 1 to 4, so it did not go on to the senate floor.

While there was general agreement among the four committee members as to the intent of the bill, several factors added up to cause them to vote against it. There are several large billboard companies in the Green Bay area and they influenced senator Hansen with the prospect of job losses. Some of the senators felt that local control (by towns villages and cities) of billboards is sufficient and that a state law is unnecessary. Some of the senators whom executive director Chuck Mitchell spoke with said there was insufficient expression of support from the constituents in the senator's districts.

CSW can be satisfied with the attention that SB 219 brought to scenery and

billboards in the senate. Last session our bill did not even get a hearing, while this session we got a hearing and made a good showing at it. (On average, only 1 bill in 4 passes.) Sen. Baumgart says he will propose a new bill in the 2003-2004 legislative session which begins the first week in January 2003. CSW will work with him to accomplish our goal while taking into account the points that the committee members made. CSW members should express their support for billboard control to their local senators and representatives.

In a significant success for CSW, in August Gov. McCallum vetoed a provision in the budget bill that would have allowed billboard owners to clear-cut trees and bushes on public right-of-way that might be blocking the view of their billboard advertisement.



Citizens for a Scenic Wisconsin



pro-beauty.
pro-Wisconsin.
pro-tourism.

7525 Oakhill Ave.,
Wauwatosa, WI 53213

E-mail:

Website:

Fax:

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Citizens for a Scenic Wisconsin
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Scenic America,
in Washington, D.C., the only
national organization dedicated
to protecting natural beauty
and the distinctive character
of our communities.

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Wauwatosa
EXECUTIVE DIRECTOR

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EDITORIAL DESIGN

262-242-4299

A message

BY **CHARLES MITCHELL** | EXECUTIVE DIRECTOR | **CITIZENS FOR A SCENIC WISCONSIN**

On March 30th, Citizens for a Scenic Wisconsin passed the two-year mark as an organization. A certain maturity is now setting in.

IN MARCH 2000, CSW WAS LITTLE MORE THAN A group of four founders and a few interested persons that attended the first meeting. The four founders, from four corners of the state, became the board of directors and officers. ROY AIKEN of Sturgeon Bay, DAVE FRY of Minocqua, CHUCK MITCHELL of Wauwatosa and VERNIE SMITH of Viroqua.

Today, we have a board of directors of ten dedicated people who bring experience from all walks of life. In March this year, my two-year term of office as president expired, and Vernie Smith took over as president. I am continuing my duties as executive director and we are a stronger organization in the process.

ROBERT KENNEDY of Wauwatosa has assumed the responsibilities of Treasurer and has our finances under control with his computer skills. PAT DVORAK remains steadfast in her duties as Secretary and RICK CHENOWETH took Vernie's place as vice-president.

We now have over 300 members. We are fortunate to have several dedicated active members



who provide valuable services to the organization. Also, BRADLEY-JORGENSEN, an editorial design firm, kindly puts together our newsletter.

During the course of the Fall and Winter we have become more organized than ever with the development and adoption of a new Strategic Plan under the guidance of board member TOM MILLER, an association management consultant. (See article on back page.) Perhaps the most important element of the Plan is the Mission statement, composed in a process of thoughtful discussion by the board. Our mission is to lead, organize and support efforts to protect and enhance Wisconsin's most precious resource — its scenic beauty. This statement guides us in all of our projects and toward all of our goals.

Part of our maturity is the realization of the importance of funding to the survival of an organization. We hope you will respond to the enclosed appeal letter.

CHUCK MITCHELL

MANY WISCONSIN TOWNS PROHIBIT BILLBOARDS | Please advise CSW if your town or city prohibits billboards. We are compiling a list to be used by other towns in drawing up ordinances.

assumes

VERNIE SMITH is a founding board member of CSW. He has been a member of Scenic America, Washington D.C., (formerly the Coalition for Scenic Beauty) since 1985.

Vernie works for a civil engineering firm in La Crosse. He resides in Viroqua, where he is a City Alderman. During the early 1980's he worked for Collins La Crosse Sign Company (now Collins Outdoor). It was then that he began to see how billboard proliferation was degrading the appearance of his community, western Wisconsin, and the state.

Vernie believes that 'scenery' isn't something that should be available only in isolated pockets, like the occasional rustic road or state park. The places where the great majority of us spend most of our time need to be valued for their inherent beauty as well. He believes that protection of our scenic resources is important not only to our quality of life but to our overall economic well being.



A billboard is right up there.
Day and night. Lurking.
Waiting for another ambush.
It simply won't go away.

It's never
turned off.

— Outdoor Advertising
Association of America



Wisconsin's history of billboard legislation and controversy

BY **DAVE CONOVER** | RETIRED PROFESSOR OF BIOLOGY, UW-OSHKOSH & ADVISOR TO CSW | **OSHKOSH**

BILLBOARD REGULATION BEGAN WITH A FLURRY OF state laws following the federal acts of 1958, 1959 and 1965. These acts used bonuses or withdrawals of federal funds to induce the states to control roadside advertising on the new Interstate System. But controversy began in Wisconsin as early as 1931 when bill 571A was introduced into the Assembly.

The state's earliest roads were in southern Wisconsin and they were privately financed, often poorly located and without uniform quality. Automobile ownership was growing by leaps and bounds. In 1911 the State Highway Commission was formed which set up a state highway department. It is not hard to imagine the proliferation of home-made signs along the highways and at intersections interfering with safe views of the road. Concrete and macadam roads became the norm for a state highway system initiated in 1917 as traffic became heavier. Assembly Bill 571A was introduced in 1931 to require some state control of outdoor advertising. Billboard owners would have to have an annual license, post a bond and obtain an annual permit for each sign. Outdoor advertisers must have started the Outdoor Advertisers Association of Wisconsin at about this time. The Richland Center paper editorialized that the bill was not needed and it would deprive farmers of fees for use of their land. The bill stalled in the judiciary committee.

Following the passage of the Federal-Aid Highway Act of 1958, Governor Gaylord Nelson submitted a bill (684A in 1959) which created Statute 84.30 restricting, regulating, and licensing billboards along the Interstate highways. It passed both houses and the provisions of 84.30 are substantially the rules in Wisconsin today. An attempt in 1959 to pass coverage of state highways (528S) was supported by The Wisconsin Roadside Council, but it failed as did 569A in the assembly. Among five organizations listed as affiliated with the Roadside Council were the

Society of Landscape Architects and the Wisconsin Garden Club Federation. The Roadside Council wrote of its financial weakness in comparison to the outdoor advertising industry.

In 1972, seven years after the 1965 federal law was passed, the legislature passed Assembly Bill 1411 which recreated 84.30 and added the state Federal Aid Primary highways to the coverage.

In 1986, bills were co-sponsored in the Senate and Assembly (SB526 & AB822) to stop new billboards in rural areas and allow non-conforming signs to be removed with the use of state money. Familiar names of co-sponsors include Black, McCallum, Risser, and Chvala. The Wisconsin Coalition for Billboard Control campaigned in favor of the bills, with the leadership of activist Virginia Kraut of Green Lake. Neither bill passed.

In 1989, the Door County Environmental Council organized support for a bill increasing county boards' authority to "regulate, restrict or prohibit the maintenance and construction of signs and billboards visible from any state or county trunk highway." A lobbyist was hired and after a successful campaign, AB635 passed the Assembly, but did not get to the Senate floor before the session ended.

In July 2001, CSW learned of an effort to increase cutting of vegetation to increase billboard visibility and organized support for the provision's removal from the budget bill. The item was vetoed by Governor McCallum after public outcry. In August, a large group of supporters rallied in Madison for a 6-hour plus hearing on Senator Baumgart's SB 219 to prevent new billboards, perhaps the strongest billboard control ever presented. There was also a large group of outdoor advertisers speaking in opposition. The bill stalled in committee.

CSW continues its work with legislators interested in new and creative bills that will protect our scenic heritage. ●

**Citizens for a
Scenic Wisconsin**



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WORKING TO PRESERVE WISCONSIN'S SCENIC HERITAGE

the scenic index

>500,000

Estimated number of billboards
on major highways in the U.S.

17,600

Estimated number of billboards
in Wisconsin

430

Number of new Wisconsin
billboards in 2000

17

Reduction: Number of billboard
"buyouts" in Wisconsin in 2000

4

Number of states that are billboard-
free: Maine, Vermont, Alaska, Hawaii

0

States which have suffered
economically from having tough
billboard controls

50%

Increase in tourism spending in
Vermont 2 years after it became
billboard-free

Board approves new strategy

BY TOM MILLER

AS VISUAL POLLUTION ALONG OUR HIGHWAYS CONTINUES TO INCREASE, preserving and enhancing the scenic beauty of Wisconsin's communities and countryside requires constant effort and vigilance. Accordingly, the Board of Directors of Citizens for a Scenic Wisconsin (CSW), at its January meeting, established its strategic plan for the next three years. By stressing coalition building, the plan recognizes that CSW is one of many organizations dedicated to the stewardship of Wisconsin's scenic resources.

CSW is a statewide non-profit membership organization dedicated solely to preserving and enhancing the precious scenic beauty of Wisconsin's communities and countryside. CSW was granted its IRS 501c-3 tax-exempt status on July 24, 2000.

Core Beliefs

- ▶ While our population will grow and our landscapes will change, **Wisconsin's scenic beauty need not be sacrificed** in the process.
- ▶ **Good stewardship** of scenic beauty where we live, work & play in Wisconsin is essential to economic well-being, is a source of pride and is important to the quality of our lives.
- ▶ **Outdoor signage** has a value in providing information to travelers and in identifying businesses and buildings, but large off-premise billboards with demanding advertisements destroy scenery.

Objectives

- ▶ An **alliance with kindred organizations** in the common cause of enhancing Wisconsin's scenic beauty.
- ▶ A **Scenic Summit of business, political and community leaders** to discuss preserving Wisconsin's scenic beauty.
- ▶ A **model community signage ordinance**, available to Wisconsin communities for implementation.
- ▶ A **large membership** of people throughout the state who believe in CSW's mission.
- ▶ A **resource center** for individuals and communities who seek to enhance the scenic beauty of Wisconsin.
- ▶ An **awareness** among Wisconsin's State Legislature Senators and representatives of CSW's values.

BEAUTIFUL! Billboards no friend to tourism industry Perfect.

The Wisconsin tourism industry needs to take a hard look at what it is doing to itself.

It needs a major policy debate on just how Wisconsin wants to present itself to vacationers.

Some visitors are looking for busy, active vacations and are drawn to such places as Wisconsin Dells, casino cities, or places like Rhinelander and Elkhart Lake that cater to motorized sports.

Others are looking for serenity and scenic beauty. They are the hikers, bikers, anglers, golfers, sailors, skiers, kayakers and bird-watchers. My guess is that the silent sports people, who could be described as eco-tourists, far outweigh the more hyperactive set.

The tourism business people in some parts of the world have come to the conclusion that their bread is better buttered by protecting the scenic beauty than by developing it. In Wisconsin, tourism destinations such as Kohler and Ephraim come to mind. The beauty of those communities is the main draw.

Approaches cluttered

Compare that to a destination like Hayward, which sits on the edge of the lovely Chequamegon National Forest. The approaches to that city are cluttered to the max: billboards galore, sprawled metal buildings and plastic fish sculptures.

In addition, local interests there are pushing hard to give ATVs free run anywhere and everywhere in the pristine forests.

The silent sports advocates are starting to fight back, but are not winning many battles against the sportsters on ATVs, snowmobiles and personal watercraft.

That is not to say that there isn't room for all kinds of recreation in the state. My company and others in the state make parts for a good number of those machines, so it would be a double standard of major proportions to suggest that Wisconsin not provide a place to use them.

Nonetheless, it seems obvious that the motorized and silent sports need to have segregated areas. Some of that separation of uses has been done by the Department of Natural Resources, but not enough. And certainly not enough at the local level.

Similarly, the tourism industry hasn't really addressed the issue of billboards. Are they a help or a hindrance? The experience of Vermont would suggest that they are unnecessary as a stimulant for resorts and restaurants. Vermont banned billboards in 1968. After a grandfather clause expired in 1974, the last one in the state fell.

Like Wisconsin, Vermont is a gorgeous state, and its tourism is booming. People go there for the scenic beauty, and they have little trouble using the sanctioned small signs to find the resorts and restaurants.

Three other tourism-heavy states have followed suit: Hawaii, Alaska and Maine.

Billboards ruled ugly

On a local level, many tourism destinations have also eliminated billboards, such as Hilton Head, S.C.; Sun Valley, Idaho; Jacksonville, Fla.; and San Diego. Others like Scottsdale, Ariz., and Williamsburg, Va., have very tough standards.

"They have all found that ugliness is bad for business," said Chuck Mitchell, founder of a new organization called Citizens for a Scenic Wisconsin.

That organization is calling for an elimination of billboards in Wisconsin, a la Vermont, at a time when the billboard industry slipped a provision into the state budget that allows clear-cutting on public rights of way 700 feet in front of the signs. For the good of the tourism industry, the governor has to veto that mistake.

The tourism leaders need to think about backing the "smart growth" initiatives. Nothing is going to turn off visitors more than sprawled approaches to scenic communities. They should be attractive and quaint, not cluttered and nondescript.

Think of such places as Costa Rica, which is making a major industry of "eco-tourism." Can that be done if there is a Coney Island or Las Vegas type of image?

Both ends of the spectrum need to be accommodated for a tourism industry, which brings \$9.7 billion to this state annually.

At this point, though, there doesn't appear to have been much clear thinking on a strategic level in the industry on how to protect our scenic beauty. That needs to happen soon, possibly with the expanded billboard incursion as the trigger.

John Torinus is chief executive officer of Serigraph Inc. of West Bend. Contact him at jbt1@serigraph.com.



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Some Want to Limit Billboards

Betsy Robertson

Some people jokingly refer to the highways and interstates of Wisconsin as one big section of the yellow pages. Next week, a bill will be introduced to the Legislature proposing strict regulations on the number of billboards in the state.

There is a vision some have for the highways and interstates in Wisconsin, one that includes rolling green hills and farmland, without so many signs getting in the way. Sen. James Baumgart (D-Sheboygan) said, "People come to Wisconsin to see Wisconsin, and while I'm sure they don't mind some billboards, they do get frustrated when they see billboard after billboard as they come into a community."

After surveying his district, Baumgart says 60 percent of residents favored some type of limitation put on the number of billboards in the state. Ideally, what they would like to see are fewer of the old style billboards and more of the logo signs that already exist, where multiple businesses can advertise with less impact on the environment.

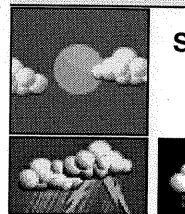
Wisconsin's Outdoor Advertising Association said their own surveys show as much as 75 percent of residents believe billboards do provide useful information. Wisconsin tourist Ralph Bjerke agreed, saying, "Some of them are beneficial because they give you direction and stuff. If you want a place to eat, you look for the billboard."

They say 70 percent of all billboards are directly tied to Wisconsin's \$8 billion tourist industry. Take the billboards away, and it could have a dramatic effect on the state's economy.

"They're playing hardball...and I think what they need to do is realize they're not in a perfect industry, and if they want to share the landscape of Wisconsin, they better sit down with the legislature and see what can come about," said Baumgart.

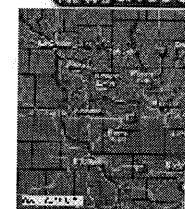
Baumgart is not ruling out a compromise with the industry over new billboards in the state. He hopes the discussion will lead to a better balance along the way. Stricter regulations on billboards are gaining

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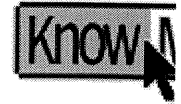
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support across the state; 20 city mayors in Milwaukee County have signed a resolution they plan to send to the Legislature.



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Planners recommend ban of new Downtown roof signs

Wednesday, July 25, 2001

By Tom Barnes, Post-Gazette Staff Writer

Opponents of "skyline clutter" won a preliminary victory yesterday, as the city Planning Commission voted to recommend banning all new rooftop signs Downtown.

In a companion measure, the panel recommended permitting signs high on the sides of Downtown skyscrapers, but restricted their size to no more than 200 square feet.

And in a third proposal, the commission urged restricting signs on buildings in neighborhood commercial districts to no more than 80 square feet in size and no more than 40 feet off the ground.

Officials from business groups criticized the new sign restrictions, which still need approval from City Council before they take effect. Council isn't expected to begin its discussions before fall.

The business groups said the sizes of signs are an important factor that retailers use in deciding where to locate, adding the proposed restrictions would only serve to drive future businesses to the suburbs, where signs can be larger.

"I think the Planning Commission action will have a devastating effect on businesses," said Steve Gerson, president of an Oakdale sign company called Visual Information Systems Inc. He vowed to carry the fight to council.

Existing rooftop signs Downtown won't be affected by the new rules, said Planning Commission Vice Chairman Clifford Levine.

Still in question, however, are an application for a rooftop sign filed July 10 by PNC Financial Services Group for its Two PNC Plaza building on Liberty Avenue, and two "high" wall signs sought

Related Graphic

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of the kinds of signs

July 6 by Dominion Resources for an area just below the roof of its headquarters building on Liberty Avenue. **restricted under the proposed rules.**

Levine said that because those signs don't exist now, the applications might fall under the tighter new rules because the changes were "pending" at the time the sign requests were filed.

The precise date when the new rules would take effect -- if approved by City Council in the fall -- hasn't been determined yet.

Levine supported the ban on new rooftop signs and restrictions on the size of wall signs. He singled out for criticism a large CVS drugstore sign on the wall of a building on Forbes Avenue in Oakland as being too large and visually cluttering the neighborhood.

Under present rules, wall signs can take up as much as 20 percent of the surface of a building, which city planners think is too big, especially on smaller buildings in neighborhood districts.

"Unlimited signage [size] can be disruptive and ugly in a neighborhood," Levine said.

Gerson, Tom McChesney of the Building Owners and Managers Association and Jerry Speer of the Realtors Association of Metropolitan Pittsburgh all challenged the wisdom of the proposed sign limits. They think rooftop signs shouldn't be totally banned, but should be decided on a case-by-case basis instead.

"Any company that is willing to come to Pittsburgh and spend half a million dollars and up to put a sign on its rooftop should be allowed to do so," Speer said.

Gerson said that 80 square feet, the proposed maximum size in neighborhood business districts, isn't big enough to allow companies with long names to put their names on their buildings.

McChesney said he wondered why the commission was even taking up the sign issue.

"The public doesn't find signs to be that big a deal," he said.

The business officials said the growth of business identification signs is proof of vitality in a city, but that claim was challenged by John Martine, an architect and commission member.


Martine said that 25 years ago, when Pittsburgh was the third-largest corporate headquarters in America, it had companies like U.S. Steel, Alcoa, Gulf Oil and Koppers and none of them had their names on their

Downtown headquarters buildings.

Martine was opposed to allowing any high walls signs just below the roof on buildings Downtown, but the rest of the commission voted to allow such signs up to 200 square feet in size.

The business groups said the size should be larger, saying a 200-square-foot wall sign near the top of a 50-story building would be hard to read. But the commission said the size limit was a compromise with the alternative -- permitting no wall signs at all. Members also noted that there could be 200-square-foot signs on all four sides of a building.

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Capital Times - Editorial - 7/19/01

Don't change billboard law

As business reporter Mike Ivey reported in his column recently, the still-to-be-finished state budget contains a provision that would allow billboard companies to cut vegetation on public property if it gets in the way of their signs.

The language, which first of all has no business in a budget bill, has been inserted apparently because the Department of Transportation has taken a tough stance with billboard firms in recent years. Under current law, sign owners can apply to the department for a permit to cut vegetation on public land. If the department approves, the private companies are required to pay for the cutting and cleanup and, if vegetation is removed entirely, replace it in another location.

The sign owners are fuming that this is too tough and, besides, the department is loathe to give them permits to hop the fences along the interstate, for example, and start chopping away. In fact, the state transportation people are suing a La Crosse billboard firm for cutting trees on state land without a permit.

All of which, obviously, has spurred the budget provision. Billboard firms, after all, are known to contribute nice bucks to legislators' campaign coffers.

If the language stays in the budget when the legislative conference committee is finally through with it, we hope that Gov. Scott McCallum will do the right thing and veto it. If not, billboard companies will have carte blanche to go whacking away at trees and shrubbery that might block portions of their billboard messages.

No one should have a right to do that on public land without proper permission and supervision.

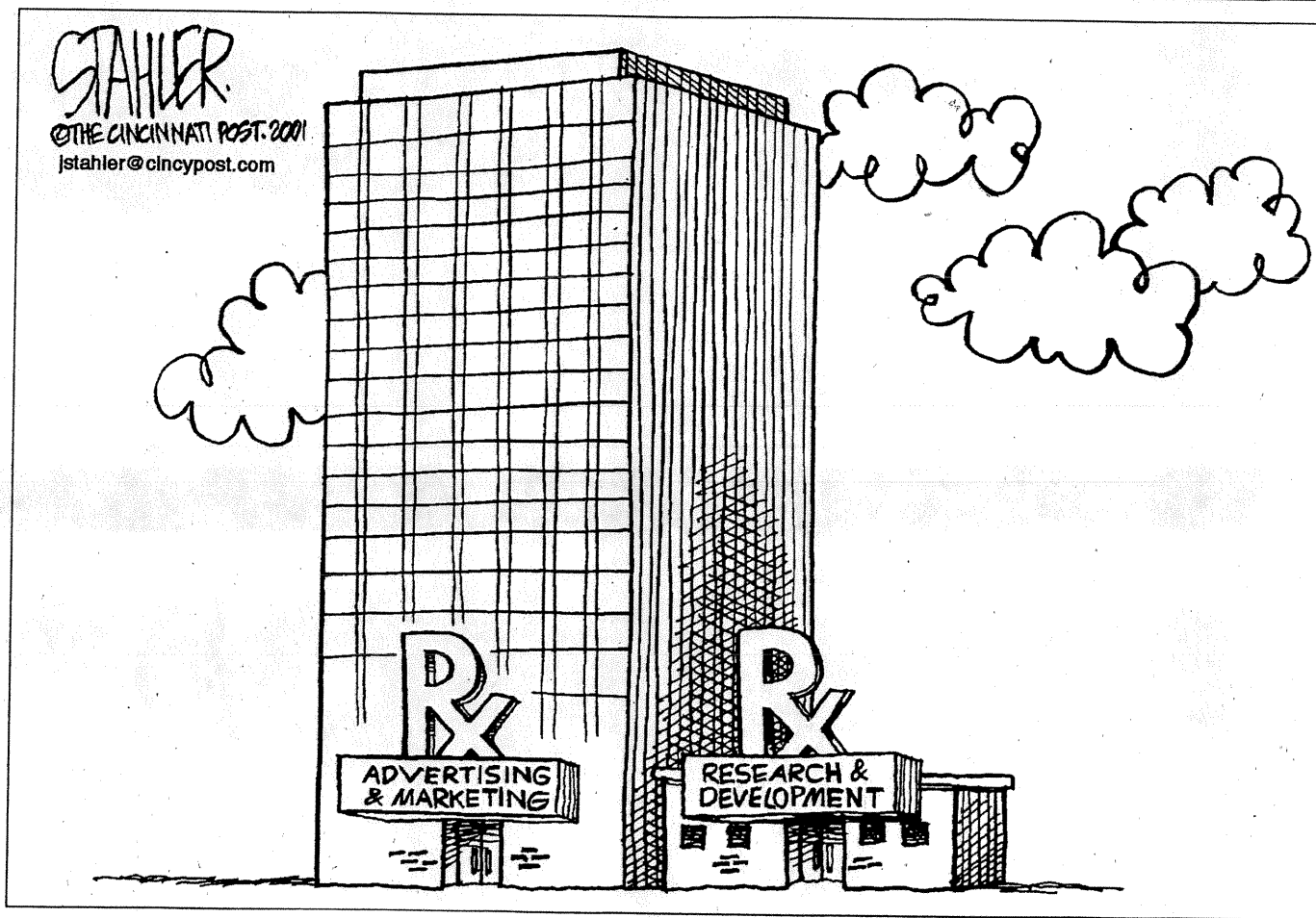
Billboard firms should quit whining. They do have it pretty good in Wisconsin as it is.

Some states - Vermont, Alaska, Maine and Hawaii, tourist states all - have seen fit to do away with billboards altogether.

(END)

Telegraph Herald
WEDNESDAY, AUGUST 8, 2001

Opinion



Billboards on 41 were the clincher

MADISON (AP) — The governor says a drive down U.S. 41 from Green Bay to Fond du Lac helped him decide to veto a state budget provision that would help billboard companies clear vegetation near their road signs.

"It's one of the steps to make sure that we continue to protect the beauty of this state," Gov. Scott McCallum told the Wisconsin State Journal, as reported in Sunday's edition.

He said that when he signs the 2001-02 budget bill he will veto the provision that would make it easier for the billboard companies to clear trees, shrubs and other vegetation

Governor says they helped him decide to veto brush-clearing item in budget

along highways.

McCallum drove heavily developed Highway 41 after a recent visit to his parents' cottage near Green Bay.

He said the abundance of billboards weighed into his decision on the budget item.

Billboard companies have pushed for relaxed rules to make sure motorists are able to see their signs for at least six uninterrupted seconds while driving at the posted speed limits.

Current rules of the state Department of Transportation call for three seconds of viewing time.

"I understand businesses have rights to advertise," McCallum said. "In fact, it helps the public in many cases. At the same time, I don't want to extend this where you can't see Wisconsin's environment."

He added that he sympathizes with the companies' complaints that the DOT is slow in responding to requests

for permits to trim trees or shrubs in a public right of way.

"There has been a problem in the DOT," McCallum said. "I want to work with DOT to make sure we're abiding by present law in a due fashion."

Those contacting the governor on the billboard issue included 300 urging a veto and 185 who favored keeping the provision.

"We're relieved to hear the governor has listened to the public outcry against this expanded right for private billboard companies to chop down public trees in public right of way," said Caryl Terrell, a Sierra Club lobbyist.

Billboard legislation troubling

By LINDA TOOKE

Travel and tourism constitute one of the three major growth industries in the United States. The industry directly supported 6.6 million jobs in 1995, and each dollar of travel spending generated an additional \$1.41 in total sales.

But if a bill in the state Senate passes, a vital link to the success of Wisconsin's travel and tourism industry — outdoor advertising — would be threatened. The bill is the subject of a hearing today in the Capitol.

The legislation, introduced by Sen. James Baumgart (D-Sheboygan), proposes to tax outdoor companies \$200 per billboard annually to create a fund out of which municipalities could purchase and then remove all billboards. The elimination of billboards could devastate the travel and tourism industry in Wisconsin.

Without low-cost directional billboards to guide them, travelers wouldn't know about most hotels, restaurants and tourist attractions. As a result, the economic strength of the communities that depend on these

properties would be threatened. Small business makes up 90% of the travel and tourism industry; automobile travel accounts for 80% of all travel away from home — hence, the importance of outdoor advertising.

Studies show that Americans seem to like billboards. A few of the relevant statistics:

- More than three out of four Americans say billboards provide useful information.

- Ninety percent of motorists rely on billboards to locate gas, food, lodging and tourist attractions.

- Nearly 71% of travelers looking for affordable lodging are influenced by billboards in making their choice.

Outdoor advertising helps to promote tourism throughout the U.S. The facts show conclusively that travel and tourism advertisers count on billboards to direct customers to their products, services or businesses: In rural, small-town America (Wisconsin included), 90% of advertising clients are local; 66% of these local advertisers are travel and tourism businesses.

Outdoor advertising is good for

the economy, too. In 1999, expenditures for outdoor advertising by the travel and tourism industry represented nearly 30% of the \$4.8 billion of the outdoor industry's annual revenue. The 1999 Direct U.S. Economic Impact Statistics for the outdoor advertising industry are impressive:

- \$500 million in real estate lease payments to land owners for billboards.

- \$345 million in contractual payments to government and other entities for advertising on street furniture and transit systems.

- \$960 million in direct payroll and benefits (for 25,000 employees).

- \$940 million for the purchase of materials and services.

- \$480 million in commissions paid to advertising agencies.

- \$288 million in donations of public service advertising.

To suggest that billboards be eliminated entirely would, indeed, have a devastating economic impact on all of us.

Linda Tooke is president of Outdoor First Inc., an out-of-home media buying agency based in Mequon.

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Plymouth city officials object to billboard to go in town

By Emmitt B. Feldner

of The Press Staff

PLYMOUTH Û City officials see a bad sign coming.

That's why they'll be attending a public hearing before the town of Plymouth Board of Adjustments Tuesday night to protest.

The town is being asked to grant a quartet of variances that would allow Ray Ten Pas to erect a V-type billboard on state Highway 57 adjacent to the city's southeast industrial park.

The Plan Commission is sending a letter to the town opposing the variances, and several members of the commission said they would attend the hearing to voice their opposition.

The request is more like changing the ordinance than granting a variance, Õ city Building Inspector Ronald Ourada, writing for the commission, said in the letter.

The sign would be erected on the west side of Highway 57, south of county Highway PP. It would be 14 feet by 48 feet Û 672 square feet, though the maximum allowed by town ordinance is 300 square feet.

In addition, variances would be required for height, proximity to other signs and setback from the road.

Ourada noted that the town has allowed two other billboards similar to the one being proposed for Highway 57.

Obviously, those had the same variances, Õ he wrote. For some reason, we didn't realize at the time that they had these variances. This is a good time to get involved in this. Õ

He pointed to the city's recently adopted comprehensive master plan and the Smart Growth law, both of which call for closer cooperation in land use and other matters between neighboring municipalities.

The sign would be erected on a five-acre parcel between the highway and the city's Pilgrim Road industrial park. The former Leynse farm was recently purchased by Chuck Van Horn, who would lease half an acre of the property near the highway to Ten Pas for the billboard. The town Board of Adjustments also is holding a hearing to rezone the half-acre from agricultural to highway business and the remainder to residential.

*Bob Kalies
Town Board*



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“The Plan Commission does not feel that a residential district is the most appropriate when surrounded by industrial uses,” the letter to the town said.

When commissioners raised the issue of extra-territorial jurisdiction, City Attorney Ronald Damp advised that power comes into play only with land divisions, such as certified survey maps or subdivisions, and not in questions of zoning.

He endorsed the letter proposed by Ourada and approved by the commission. “I think this letter sends a message,” Damp said.

The letter concludes: “We feel that granting four variances for one sign, some of which far exceed what is permitted, is not in harmony with the purpose and intent of this (town sign) ordinance.”

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VERMONT STATUTES ONLINE

TITLE 10: Conservation and Development

PART I: Development of Resources

CHAPTER 021: TOURIST INFORMATION SERVICES

§ 481. Definitions

As used in this chapter, the following terms are defined as follows:

- (1) "Limited access facility" means a public highway as defined in section 1862 of Title 19.
- (2) "Official business directional sign" means a sign erected and maintained by the state to indicate to the travelling public the route and the distance to public accommodations, commercial services for the travelling public, and points of scenic, historic, cultural, educational and religious interest.
- (3) "On-premises sign" means an accessory sign which directs attention to a business, profession, commodity, service, or entertainment carried on, sold, or offered on the same premises.
- (4) "Outdoor advertising" means a sign which advertises, calls attention or directs a person to a business, association, profession, commodity, product, institution, service, entertainment, person, place, thing, or activity of any kind whatsoever, and is visible from a highway or other public right-of-way.
- (5) "Residential directional sign" means an off-premise sign erected and maintained by an individual to indicate the location of his residence.
- (6) A "sign" is any structure, display, device or representation, either temporary or permanent, portable or ground-mounted, which is designed or used to advertise or call attention to any thing, person, business, activity or place and is visible from any highway or other right-of-way. It does not include the flag, pennant or insignia of any nation, state or town. Whenever dimensions of a sign are specified they shall include panels and frames.
- (7) "Sign plaza" means any area established and maintained by the agency of transportation adjacent to a highway, where official information plaza plaques are grouped in tiers or on panels.
- (8) "Traffic control sign or device" means an official route marker, guide sign, warning sign, or sign directing traffic to or from a bridge, ferry or airport, or sign regulating traffic, which has been erected by officers having jurisdiction over the highway.
- (9) "Official information plaza plaque" means a plaque erected and maintained by the state to indicate to the travelling public: public accommodations, commercial services for the travelling public, and points of scenic, historic, cultural, educational and religious interest, installed at an information plaza.
- (10) "Full-sized official business directional sign" means a sign not exceeding 1,200 square inches. "Half-sized official business directional sign" means a sign not exceeding 300 square inches.

(d) Notwithstanding any other provisions of this title, a person, firm or corporation shall not erect or maintain any outdoor advertising structure, device or display within the limits of the highway right-of-way; however, this limitation shall not apply to the signs and devices referred to in subdivision 494(1), (2), (3), (6), (7), (10), (14) and (17) of this title.

(e) Except on those highways maintained exclusively by the agency of transportation and on limited access facilities, the limitation established by subsection (d) of this section shall not apply to the signs and devices referred to in subdivisions 494(9) and (11) of this title. (1967, No. 333 (Adj. Sess.), § 15, eff. March 23, 1968; amended 1969, No. 92, § 17, eff. April 19, 1969; 1977, No. 13; 1983, No. 167 (Adj. Sess.), §§ 10, 11; 1985, No. 97, eff. May 30, 1985; 1991, No. 220 (Adj. Sess.), § 2; 1993, No. 121 (Adj. Sess.), § 9; 1997, No. 120 (Adj. Sess.), § 9; 1999, No. 18, § 41h, eff. May 13, 1999.)

§ 496. Repealed. 1993, No. 121 (Adj. Sess.), § 10.

§ 497. Removal of signs

The owner of a sign which is not licensed under this chapter and which is not a legal on-premise or exempt sign meeting the requirements set forth in this chapter, other than a sign which was lawfully erected and maintained prior to March 23, 1968, shall be in violation of this chapter until it is removed. The travel information council, or the secretary of transportation or his designee pursuant to authority delegated by the council, may, upon failure of the owner to remove such sign, order its removal by the agency of transportation, and the agency of transportation shall thereupon remove the sign without notice or further proceeding, at the expense of the owner. The expense may be recovered by the state in an action on this statute, which shall be instituted in the superior court or Vermont district court having jurisdiction in the area in which the sign is located. A copy of the notice of removal shall be sent by certified mail to the owner at the last known address. If an illegal sign is re-erected after the initial removal notice is executed, the agency of transportation shall have the authority to remove that illegal sign without additional prior notice to the owner. The agency of transportation or the legislative body of a municipality shall have the authority to remove or relocate, or both, without prior notice, any sign, device or display which is temporary in nature and not affixed to a substantive structure which is erected within 24.75 feet of the actual centerline of any highway under its jurisdiction and within the public highway right-of-way. (1967, No. 333 (Adj. Sess.), § 17, eff. March 23, 1968; amended 1969, No. 92, § 12, eff. April 19, 1969; 1983, No. 167 (Adj. Sess.), § 13; 1993, No. 121 (Adj. Sess.), § 11.)

§ 498. Repealed. 1993, No. 121 (Adj. Sess.), § 12.

§ 499. Applications and licensing of official business directional signs

(a) Any person who believes that he or she is eligible under section 489 of this title for an official business directional sign may submit a written application on a form prescribed by the travel information council. The application shall set forth the name and address of the applicant; the name, nature and location of the business; the location where an official business directional sign is desired; and such other information as the council may require. The applicant shall tender with the application the standard license fee stated in section 501 of this title for each sign requested.

(b) Upon receipt of an application for an official business directional sign, the travel information council shall refer the application to the appropriate district committee of the travel information council with a report and the facts relative to the location. The committee shall approve or disapprove the application. The committee shall not approve an application unless the requested location conforms to the rules of the agency of transportation under section 490 of this title and of the council and, in the case of town highways, of the town's

selectboard, and the applicant is complying with all statutes and rules of the departments of health and labor and industry regarding places of public accommodation. If the application is approved, the council shall issue the license and forward a copy to the division of the agency of transportation responsible for erection and maintenance of official highway signs. If it is not approved, the travel information council shall return the application and fee, stating the reasons for refusal and giving the applicant opportunity to correct any defects or to be heard within 30 days by the travel information council, and to present evidence, with or without counsel in his or her discretion. Upon written request, the council shall hear the matter and notify the applicant of its findings and decision. The applicant may then appeal on questions of law to the supreme court.

(c) The travel information council shall establish a procedure and schedule for periodic on-site evaluation of licenses which have been granted, to determine whether such licenses have been issued in conformance with the rules of the agency of transportation and the travel information council under section 490 of this title.

(d) The travel information council shall have the authority to deny renewal of those licenses which are found to violate the rules of the agency of transportation and the travel information council. A licensee who is denied renewal shall have the right to appeal under subsection (b) of this section. (1967, No. 333 (Adj. Sess.), § 19, eff. March 23, 1968; amended 1969, No. 92, § 13, eff. April 19, 1969; 1983, No. 167 (Adj. Sess.), §§ 14, 15; 1993, No. 172 (Adj. Sess.), § 12.)

§ 500. Repealed. 1969, No. 92, § 18, eff. April 19, 1969.

§ 501. Fees

Subject to the provisions of section 486(c) of this title, an applicant for an official business directional sign or an information plaza plaque shall pay to the travel information council an initial license fee and an annual renewal fee as established by this section.

(1) Initial license fees shall be as follows:

(A) for full-sized or half-sized business directional signs, \$75.00 per sign;

(B) for information plaza plaques, \$25.00 per plaque; however, if more than one plaque is requested by a business at the same time, a ten percent discount shall be given on the second and subsequent plaques.

(2) Annual renewal fees shall be the amount, rounded to the next higher even whole dollar, determined by dividing the estimated cost of maintenance and administration of the official business directional sign and information plaza programs during the following fiscal year by the total number of licensed signs and plaques eligible for renewal during the following fiscal year; except that the renewal fees shall not exceed the following amounts:

(A) full and half-sized official business directional signs, \$60.00 per sign;

(B) information plaza plaques, \$25.00 per plaque. (1967, No. 333 (Adj. Sess.), § 21, eff. March 23, 1968; amended 1969, No. 92, § 14, eff. April 19, 1969; 1983, No. 168 (Adj. Sess.).)

§ 502. Repealed. 1993, No. 121 (Adj. Sess.), § 12.

§ 503. Penalty

A person who violates this chapter shall be fined not more than \$100.00 or imprisoned not more than thirty days, or both. Each day the violation continues shall be a separate offense.

(1967, No. 333 (Adj. Sess.), § 23, eff. March 23, 1968; amended 1969, No. 92, § 16, eff. April 19, 1969.)

§ 504. Repealed. 1993, No. 121 (Adj. Sess.), § 12.

§ 505. Relation to other laws; local ordinances

(a) This chapter shall not supersede the provisions of any local ordinances whose requirements are more strict than those of this chapter, and not inconsistent therewith, whether those ordinances were enacted before or after the effective date of this chapter.

(b) The provisions of this chapter with respect to sign control are not exclusive of any rights or remedies provided the agency of transportation and the legislative bodies of municipalities, in their respective jurisdictions, by Title 19, any other statute, municipal charter or ordinance, the doctrines of equity or the common law. (1967, No. 333 (Adj. Sess.), § 25; amended 1993, No. 121 (Adj. Sess.), § 13.)

§ 506. Newspaper or other vending machines; delivery tubes

(a) Newspaper or other vending machines may be allowed within the highway right-of-way subject to the requirements of 19 V.S.A. § 1111.

(b) The copy permitted on newspaper delivery tubes shall be limited to identification markings that do not occupy a space of more than six square inches. (Added 1993, No. 121 (Adj. Sess.), § 14.)

(11) "Owner" means the person or persons who own a sign. Wherever it is required under this chapter to provide notice to the actual owner or owners of a sign but is impractical to do so, it shall be conclusively presumed that the person, firm or corporation advertised on the sign is the agent of the actual owner or owners. Notice served on any such agent shall have the same effect as notice provided the actual owner or owners.

(12) "Travel information means" shall include the various communication media and methods available to collect and distribute information to the traveling public. (1967, No. 333 (Adj. Sess.), § 1, eff. March 23, 1968; amended 1969, No. 92, § 1, eff. April 19, 1969; 1983, No. 167 (Adj. Sess.), §§ 1, 2; 1993, No. 121 (Adj. Sess.), §§ 1, 2.)

§ 482. Legislative findings

The general assembly of the state of Vermont makes the following findings of fact:

(1) A large and increasing number of tourists has been coming to Vermont, and as a result the tourist industry is one of the largest sources of income for Vermonters, with an increasing number of persons directly or indirectly dependent upon the tourist industry for their livelihood.

(2) Very few convenient facilities and coordinated means exist in the state to provide information on available public accommodations, commercial services for the traveling public and other lawful businesses and points of scenic, historic, cultural, educational and religious interest. Provision of those facilities can be a major factor in encouraging the development of the tourist industry in Vermont.

(3) Scenic resources of great value are distributed throughout the state, and have contributed greatly to its economic development, by attracting tourists, permanent and part-time residents, and new industries and cultural facilities.

(4) The scattering of outdoor advertising throughout the state is detrimental to the preservation of those scenic resources, and so to the economic base of the state, and is also not an effective method of providing information to tourists about available facilities.

(5) The proliferation of outdoor advertising is hazardous to highway users. (1967, No. 333 (Adj. Sess.), § 2; amended 1993, No. 121 (Adj. Sess.), § 3.)

§ 483. Purposes and policy

In order to promote the public health, safety and other aspects of the general welfare, it is in the public interest to provide information about and help guide travellers to public accommodations and services, other businesses and points of scenic, historic, cultural, educational and religious interest. To provide that information, it is the policy of the state and the purpose of this chapter:

(1) To establish means by which the traveling public may receive general and specific travel information in a timely manner utilizing current marketing and technological systems.

(2) To provide for the effective collection and distribution of travel information.

(3) To prohibit the indiscriminate use of other outdoor advertising. (1967, No. 333 (Adj. Sess.), § 3; amended 1993, No. 121 (Adj. Sess.), § 4.)

§ 484. Travel information council; creation, membership, terms

(a) The travel information council is created to administer the provisions of this chapter.

The agency of transportation shall be responsible for the administration and maintenance of the official business directional sign program, information plazas and other tourist information facilities deemed appropriate by the council. The agency of commerce and community development shall be responsible for the collection and distribution of travel information, as deemed appropriate by the council.

(b) The travel information council may make rules, consistent with this chapter relating to the determination of locations for official business directional signs and to all other matters necessary and appropriate to the administration of this chapter. In making those rules it shall give consideration to the adequacy of information provided by highway directional signs and the preservation of scenic and aesthetic values and shall consult with the agency of transportation as to matters of highway safety. It shall determine whether official business directional signs at a particular location shall be displayed in tiers or upon panels. It shall advise the agency of commerce and community development on policies and matters pertaining to collection and distribution of tourist information.

(c) The travel information council shall have seven members, one the secretary of commerce and community development or his or her designee, who shall chair the council and six appointed members as follows: one representing the lodging industry, one the restaurant industry, one the recreation industry, one the agency of transportation, one the general public and one agriculture. The six appointed members shall be appointed by the governor with the consent of the senate with the six initially appointed members appointed as of the effective date of this chapter, with three initial members appointed for one year terms, and three for two year terms. Three appointed members shall be appointed biennially thereafter. The members are eligible for reappointment.

(d) The travel information council shall designate, in each state transportation district, a person to represent business, a person to represent the public, and a person to represent the district planning or development agencies as a committee to act for it in those districts in considering applications for signs and the location thereof. The members of the committee shall serve at the pleasure of the council, and a majority of a committee shall constitute a quorum for the conduct of any business. A person aggrieved by a decision of a committee may ask for and shall be granted a hearing before the travel information council and may appeal on questions of law to the superior court under Rule 74 of the Vermont Rules of Civil Procedure from a decision of the council. (1967, No. 333 (Adj. Sess.), § 4, eff. March 23, 1968; amended 1969, No. 92, § 2, eff. April 19, 1969; 1971, No. 115, § 1, eff. April 26, 1971; 1983, No. 167 (Adj. Sess.), § 3; 1993, No. 121 (Adj. Sess.), § 5; 1995, No. 190 (Adj. Sess.), § 1(a), (b).)

§ 485. Official tourist information centers

The agency of commerce and community development shall establish official tourist information centers, near the principal entrance points into the state, as determined by the agency, and at such other locations as the agency deems appropriate, in order to provide information about public accommodations, commercial services for the travelling public, other businesses, and points of scenic, historic, cultural, educational and religious interest. (1967, No. 333 (Adj. Sess.), § 5, eff. March 23, 1968; amended 1969, No. 92, § 3, eff. April 19, 1969; 1983, No. 167 (Adj. Sess.), § 4; 1995, No. 190 (Adj. Sess.), § 1(a).)

§ 486. Official directional signs

(a) The agency of transportation, under the direction of the travel information council, shall furnish, erect and maintain official business directional signs licensed under this chapter at locations specified in the license. The agency of transportation may contract for the satisfaction of all or any portion of its duties under this subsection. That furnishing, erection and maintenance are declared to be for highway purposes under Title 19 and any amendments thereto.

(b) The agency of transportation shall furnish, erect and maintain certain official directional signs at interstate highway exits wherever the exit is five miles or less from the nearest state police office or barracks. These exit signs shall bear the words "state police," with an indication of the distance to the state police office or barracks.

(c) The travel information council may enter into such contractual or other arrangements as it may consider appropriate under all the circumstances with any town or city of this state, providing for the erection and maintenance of official business directional signs and the fees charged therefor, within that town or city, which may be distinctive to that town or city, or providing for the administration of such official business directional signs, or for any other matter arising under this chapter which the council considers appropriate to be administered by that town or city; provided, however, that any such arrangement or agreement, and all actions taken thereto, shall comply with this chapter and with the regulations adopted hereto. (1967, No. 333 (Adj. Sess.), § 6, eff. March 23, 1968; amended 1969, No. 92, § 4, eff. April 19, 1969; 1975, No. 60; 1983, No. 167 (Adj. Sess.), § 5.)

§ 487. Other information

The agency of commerce and community development shall provide travel information regarding the location of available public accommodations, commercial services for the traveling public and other businesses and points of scenic, historic and cultural interest. It may include in guidebooks and other published materials, paid advertising, identified as such. This information shall be made available to the general public at places the agency may find desirable, such as interstate rest areas, information plazas, information centers and booths, service stations and garages, hotels, motels, and restaurants, historical attractions and education facilities, using the most appropriate methods and means, such as publications, audio/visual, computer and telephone. (1967, No. 333 (Adj. Sess.), § 7, eff. March 23, 1968; amended 1969, No. 92, § 5, eff. April 19, 1969; 1983, No. 167 (Adj. Sess.), § 6; 1993, No. 121 (Adj. Sess.), § 6; 1995, No. 190 (Adj. Sess.), § 1(a).)

§ 488. Prohibition of other outdoor advertising

No person may erect or maintain outdoor advertising visible to the travelling public except as provided in this chapter. (1967, No. 333 (Adj. Sess.), § 8, eff. March 23, 1968.)

§ 489. Eligibility for official business directional signs

Lawful businesses and points of interest and cultural, educational, and religious facilities are eligible for official business directional signs, subject to the provisions of this chapter and to rules and regulations promulgated by the travel information council, and subject further to any federal law, rule or regulation affecting the allocation of federal highway funds or other funds to or for the benefit of this state or any agency or subdivision thereof. (1967, No. 333 (Adj. Sess.), § 9, eff. March 23, 1968; amended 1969, No. 92, § 6, eff. April 19, 1969.)

§ 490. Types and arrangement of signs

(a) The travel information council shall regulate the size, shape, color, lighting, manner of display and lettering of official business directional signs. Distinctive symbols shall be established to the extent considered practicable by the council for each type of service or facility, different from those for other types; and appropriate signs shall be provided for each eligible applicant within a given category. When appropriate because of the number of signs at one location, the signs shall be replaced or substituted with an information plaza on which applicants may purchase advertising plaques.

(b) Subject to traffic safety regulations specifically adopted by the agency of transportation for the purposes of this chapter, locations of official business directional signs shall conform

to the following:

(1) Official business directional signs shall be located in the same town as the applicant business unless one or more of the following conditions are present:

(A) The location of the sign must be in a town other than that of the applicant business in order to satisfy the traffic safety regulations. In such case, the sign shall be located as close to the turnoff for the business as possible;

(B) The business is located on an unnumbered highway, the turnoff from the numbered highway is in another town and this turnoff is the only access point for the business from the nearest numbered highway;

(C) The absence of highway destination signs directing travelers to the town in which the business is located; and

(D) The absence of an official business directional sign creates a safety hazard for the traveling public.

(2) Official business directional signs shall be located in those vicinities where the traveler must change direction from one highway to another highway to reach the business or point of interest, provided the sign is not on the same highway as the business or its on-premise sign unless the sign is needed to alleviate a safety hazard or to eliminate an unsafe situation as described in this section; and provided a travel information directional sign is not located at that point and travel to that information source will cause neither undue inconvenience to the traveler nor traffic congestion. Signs may be approved on the same highway as the business, or its legal on-premise signing only when, in the opinion of the travel information council or its district committees, the traveling public is placed in an unsafe situation without one or more official business directional signs. For the purposes of this chapter, an unsafe situation shall exist when there is insufficient visibility of a business' on-premise signing which cannot be improved by the applicant business. Adequate visibility shall be determined by the travel information council in consultation with the agency of transportation.

(c) When the signs at one location are too numerous, or when highway safety requires for other reasons, as determined by the travel information council, the signs may be removed and the applicant business given the option to purchase advertising plaques on information plazas, located and designed so that drivers of motor vehicles may leave the main traffic lanes and inspect them. Information plazas may contain maps and other information, depending on space availability, and may have telephone and other information facilities attached to them. Sign plazas shall include the international symbol to indicate that handicapped gasoline service is available. The agency of commerce and community development shall be responsible for the costs of installing new information plazas and for the installation of advertising plaques on state-owned information plazas, provided that the secretary of commerce and community development, or his or her designee, gives prior approval for such costs and installation. If it is not practical to install information plazas or individual official business directional signs at any given location, because of the number of signs or because of traffic conditions, the travel information council may in its discretion adopt some alternative method for providing information conveniently for travelers, including directions to zones or other geographic areas, and locally operated information booths and offices, or multi-facility official business directional signs, or both.

(d) If an official business directional sign cannot be sited in conformity with the traffic safety rules adopted by the agency of transportation, a person who believes that he or she is eligible under section 489 of this title for such a sign may request the secretary of transportation to grant a variance from the rules, setting forth in the request the physical circumstances or conditions that make it impossible to locate an official business directional

sign in strict conformity with the traffic safety rules. The request shall show that variance, if authorized, will not be detrimental to the public welfare or safety and will represent the minimum variance that will afford relief and will represent the least deviation possible from the traffic safety rules. The secretary's denial of a variance request under this subsection may be appealed to the transportation board within 30 days of the denial. The board's determination of such an appeal shall be final. (Added 1995, No. 46, § 41; amended 1995, No. 190 (Adj. Sess.), § 1(a), (b).)

§ 490a. Redesignated.

§ 491. Number of signs

Notwithstanding the provisions of section 499 of this title, the council shall not issue more than four licenses for official business directional signs for any one place of business eligible therefor under section 490 of this title, not more than one of which is visible to traffic moving in any one direction on any one highway leading to the place, unless the travel information council finds that enforcement of this subsection will be unreasonable and will result in unnecessary hardship to the applicant. (1967, No. 333 (Adj. Sess.), § 11, eff. March 23, 1968; amended 1969, No. 92, § 8, eff. April 19, 1969.)

§ 492. Permitted locations

In adopting rules relating to locations for official business directional signs, the council shall take into consideration such factors as the effect upon highway safety, the convenience of the travelling public, and the preservation of scenic beauty. (1967, No. 333 (Adj. Sess.), § 12, eff. March 23, 1968; amended 1969, No. 92, § 9, eff. April 19, 1969.)

§ 493. On-premise signs

Owners or occupants of real property may erect and maintain on the property, on-premise signs advertising the sale or lease of the property or activities being conducted on the property. Those signs shall be subject to the regulations set forth below.

- (1) On-premise signs may be erected or maintained, with a total area of not more than one hundred fifty square feet, advertising activities being conducted on the same premises. However, this limitation does not apply to signs existing on May 1, 1971, or attached to or part of the building in which the activities are being carried on. An on-premise sign shall not be located more than fifteen hundred feet from a main entrance from the highway to the activity or premises advertised. The fifteen hundred foot distance shall be measured along the centerline of the highway or highways between the sign and a main entrance. A main entrance shall be a principal, private roadway or driveway which leads from a public highway to the advertised activity. For the purposes of this subdivision, premises shall not include land which is separated from the activity by a public highway, or other intervening land use not related to the advertised activity. Undeveloped land or farmland shall not be considered as an intervening land use.
- (2) A sign advertising the sale or lease of real estate by the owner or an agent shall not have an area of more than six square feet, including the panel and the frame. Signs attached to "for sale" or "for lease" signs which state "sold," "sale pending," "sale under contract" or similar messages shall not be permitted.
- (3) A permitted on-premise sign shall not extend more than twenty-five feet above the ground level or, if the sign is attached to or is part of a building, ten feet above the roof of the building. However, this limitation does not apply to signs existing on November 1, 1967. (1967, No. 333 (Adj. Sess.), § 13, eff. March 23, 1968; amended 1969, No. 92, § 10, eff. April 19, 1969; 1971, No. 115, § 2, eff. April 26, 1971; 1983, No. 167 (Adj. Sess.), § 8; 1993, No. 121 (Adj. Sess.), § 8.)

§ 494. Exempt signs

The following signs are exempt from the requirements of this chapter except as indicated in section 495 of this title:

- (1) Signs located on or in the rolling stock of common carriers.
- (2) Signs on registered and inspected motor vehicles except those which are determined by the travel information council to be circumventing the intent of this chapter.
- (3) Signs, with an area of not more than 260 square inches, identifying stops or fare zone limits of common carriers by motor bus.
- (4) Signs erected and maintained by a town outside the highway right-of-way, each of which does not exceed 64 square feet in area, excluding panel and frame, which may show the place and time of services or meetings of churches and civic organizations in the town, and which may include a panel which identifies the name of the town, the charter date, the date the town was founded, or any other significant date in the history of the town, and which the town wishes to identify. The panel may bear the wording "welcome to" the particular town. Not more than two such signs may be erected and maintained readable by traffic proceeding in any one direction on any one highway. The signs shall meet the criteria of the transportation agency and the travel information council.
- (5) Residential directional signs, each of which does not exceed 4 square feet in area, along highways other than limited-access facilities (but not within the highway right of way), except that a license is required if the person maintains a professional, commercial or business activity at this residence and wishes to indicate its existence.
- (6) Official traffic control signs, including signs on limited access highways consistent with the manual on uniform traffic control devices, adopted under 23 V.S.A. § 1025, directing people to official state visitor information centers, nonprofit museums, fairgrounds or exposition sites or nonprofit diploma granting educational institutions for people with disabilities and postsecondary educational institutions, subject to rules adopted by the travel information council that:
 - (A) are open a minimum of 120 days each year, and
 - (B) are located within 15 miles of an interstate highway exit, and
 - (C) reimburse the agency of transportation for the actual cost of fabrication, installation and yearly maintenance.
- (7) Signs of a duly constituted governmental body including traffic and similar regulatory devices, legal notices or warnings at railroad crossings.
- (8) Small signs displayed for the direction, instruction or convenience of the public, including signs which identify rest rooms, freight entrances, posted areas or the like, with a total surface area not exceeding 4 square feet.
- (9) Signs to be maintained for not more than two weeks announcing an auction, or a campaign, drive or event of a civic, philanthropic or religious organization.
- (10) Memorial signs or tablets.
- (11) Signs erected by county fairs and expositions for a period not to exceed six weeks.

(12) Directional signs, subject to regulations promulgated by the bureau of public roads, with a total surface area not to exceed 4 square feet providing directions to places of business offering for sale agricultural products harvested or produced on the premises where the sale is taking place.

(13) >Repealed.

(14) Up to two directional signs with a surface area not to exceed one square foot per sign, erected by a town on any existing highway signpost on highways over which the town has jurisdiction, except class 1 town highways. The colors of the directional signs shall be in contrast to the colors used on highway signs. Directional signs on the same highway signpost shall be for different purposes. The erection of signs shall be under guidelines adopted by the town. Towns may charge a reasonable fee for the installation of approved signs.

(15) Municipal informational and guidance signs. A municipality may provide alternative signs of a guidance or informational nature and creative design to assist persons in reaching destinations that are transportation centers, geographic districts, historic monuments and significant or unique educational, recreational or cultural landmarks, provided that such destinations are not private, for-profit enterprises. A proposal to provide alternative signs shall contain color, shape and sign placement requirements that shall be of a uniform nature within the municipality. The surface area of alternative signs shall not exceed twelve square feet, and the height of such signs shall not exceed twelve feet in height. The proposal shall be approved by the municipal planning commission for submission to and adoption by the local legislative body. Alternative signs shall be responsive to the particular needs of the municipality and to the values expressed in this chapter. These proposals shall be subject to and consistent with any plan duly adopted pursuant to chapter 117 of Title 24, shall be enforced under the provisions of 24 V.S.A. §§ 4444 and 4445 and may emphasize each municipality's special characteristics. No fees shall be assessed against a municipality that provides signs under this section and, upon issuance of permits under section 1111 of Title 19, such signs may be placed in any public right-of-way other than interstates. This section shall take effect upon the travel information council securing permission for alternative municipal signs in accordance with section 1029 of Title 23.

(16) >Repealed.

(17) Within a downtown district designated under the provisions of 24 V.S.A. chapter 76A, municipal information and guidance signs. A municipality may erect alternative signs to provide guidance or information to assist persons in reaching destinations that are transportation centers, geographic districts, and significant or unique educational, recreational, historic or cultural landmarks. A proposal to provide alternative signs shall contain color, shape and sign placement requirements that shall be uniform within the municipality. The surface area of alternative signs shall not exceed 12 square feet, and the highest point of such signs shall not exceed 12 feet above the ground, road surface or sidewalk. The proposal shall be approved by the municipal planning commission for submission to and adoption by the local legislative body. The sign proposal then shall be submitted to the travel information council for final approval. Denial may be based only on safety considerations. Reasons for denial shall be stated in writing. Alternative signs shall be responsive to the particular needs of the municipality and to the values expressed in this chapter. These proposals shall be subject to and consistent with any municipal plan duly adopted pursuant to chapter 117 of Title 24, shall be enforced under the provisions of 24 V.S.A. §§ 4444 and 4445 and may emphasize each municipality's special characteristics. No fees shall be assessed against a municipality that provides signs under this section and upon issuance of permits under section 1111 of Title 19, such signs may be placed in any public right-of-way other than an interstate highway. Notwithstanding subdivision 495(a)(7) or any other provision of this title or of section 1029 of Title 23, alternative signs permitted under this subsection shall not be required to comply with any nationally recognized standard.

(1967, No. 333 (Adj. Sess.), § 14, eff. March 23, 1968; amended 1971, No. 115, § 3, eff. April 26, 1971; 1979, No. 135 (Adj. Sess.), § 2; 1983, No. 167 (Adj. Sess.), § 9; 1991, No. 197 (Adj. Sess.), § 1; No. 207 (Adj. Sess.), §§ 1, 2; No. 220 (Adj. Sess.), § 1; 1993, No. 121 (Adj. Sess.), § 8a; 1995, No. 190 (Adj. Sess.), § 12b; 1997, No. 120 (Adj. Sess.), § 8; No. 150 (Adj. Sess.), § 6; 1999, No. 18, §§ 41e, 41g(c), eff. May 13, 1999.)

§ 495. Other regulations applying to permitted signs

(a) No official business directional sign, on-premise sign, residential directional sign, or exempt sign may be erected or maintained, along a highway and visible from the highway, which:

(1) Interferes with, imitates or resembles any official traffic control sign, signal or device, or attempts or appears to attempt to direct the movement of traffic.

(2) Prevents the driver of a motor vehicle from having a clear and unobstructed view of official traffic control signs and approaching or merging traffic.

(3) Contains, includes or is illuminated by any flashing intermittent or moving lights, or moves or has any animated or moving parts, except that this restriction shall not apply to a traffic control sign, barber poles, theatre marquees which are determined by the travel information council to contribute to the historic significance of a building listed, or eligible for listing, in the national register of historic places and which are operated in accordance with any conditions prescribed by the travel information council, or signs of a public service nature as determined by the travel information council.

(4) Has any lighting, unless such lighting is so effectively shielded as to prevent beams or rays of light from being directed at any portion of the main travelled way of a highway, or is of such low intensity or brilliance as not to cause glare or to impair the vision of the driver of any motor vehicle or otherwise to interfere with the operation thereof.

(5) Is located upon a tree, or painted or drawn upon a rock or other natural feature, except that this restriction shall not apply to residential directional signs.

(6) Advertises or calls attention to a business or other activity, or a profession, commodity, product, service or entertainment not carried on, produced, sold, or offered in this state, or to an activity of any kind which has already occurred or has otherwise terminated.

(7) Is in violation of or at variance with any federal law or regulation, including one containing or providing for conditions to or affecting the allocation of federal highway or other funds to or for the benefit of this state or any subdivision thereof.

(b) No on-premise or exempt sign may be erected if it is so located as to be readable primarily from a limited access facility.

(c) No on-premise sign, residential directional or exempt sign may be erected or maintained which:

(1) Advertises activities which are illegal under any state or federal law applicable at the location of the sign or of the activities.

(2) Is not clean or in good repair.

(3) Is not securely affixed to a substantial structure.

(4) Is not consistent with the standards in this chapter or regulations of the travel information council.